

STATE OF MINNESOTA

EIGHTY-FIFTH SESSION — 2007

 SIXTY-FIFTH DAY

SAINT PAUL, MINNESOTA, WEDNESDAY, MAY 9, 2007

The House of Representatives convened at 12:30 p.m. and was called to order by Margaret Anderson Kelliher, Speaker of the House.

Prayer was offered by the Reverend Paul Rogers, House Chaplain.

The members of the House gave the pledge of allegiance to the flag of the United States of America.

The Speaker called Pelowski to the Chair.

The roll was called and the following members were present:

Abeler	Dill	Heidgerken	Liebling	Otremba	Slocum
Anderson, B.	Dittrich	Hilty	Lieder	Ozment	Smith
Anderson, S.	Dominguez	Holberg	Lillie	Paulsen	Solberg
Anzelc	Doty	Hoppe	Loeffler	Paymar	Sviggum
Atkins	Eastlund	Hornstein	Madore	Pelowski	Swails
Beard	Eken	Hortman	Magnus	Peppin	Thao
Benson	Emmer	Hosch	Mahoney	Peterson, A.	Thissen
Berns	Erhardt	Howes	Mariani	Peterson, N.	Tillberry
Bigham	Erickson	Huntley	Marquart	Peterson, S.	Tingelstad
Bly	Faust	Jaros	Masin	Poppe	Tschumper
Brod	Finstad	Johnson	McFarlane	Rukavina	Urdahl
Brown	Fritz	Juhnke	McNamara	Ruth	Wagenius
Brynaert	Gardner	Kahn	Moe	Ruud	Walker
Buesgens	Garofalo	Kalin	Morgan	Sailer	Ward
Bunn	Gottwalt	Knuth	Morrow	Scalze	Wardlow
Carlson	Greiling	Koenen	Mullery	Seifert	Welti
Clark	Gunther	Kohls	Murphy, E.	Sertich	Westrom
Cornish	Hackbarth	Kranz	Nelson	Severson	Winkler
Davnie	Hamilton	Laine	Nornes	Shimanski	Wollschlager
DeLaForest	Hansen	Lanning	Norton	Simon	Zellers
Demmer	Hausman	Lenczewski	Olin	Simpson	Spk. Kelliher
Dettmer	Haws	Lesch	Olson	Slawik	

A quorum was present.

Hilstrom and Murphy, M., were excused until 1:20 p.m. Dean was excused until 3:30 p.m.

The Chief Clerk proceeded to read the Journal of the preceding day. Kalin moved that further reading of the Journal be suspended and that the Journal be approved as corrected by the Chief Clerk. The motion prevailed.

PETITIONS AND COMMUNICATIONS

The following communications were received:

STATE OF MINNESOTA
OFFICE OF THE SECRETARY OF STATE
ST. PAUL 55155

The Honorable Margaret Anderson Kelliher
Speaker of the House of Representatives

The Honorable James P. Metzen
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 2007 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

<i>S. F. No.</i>	<i>H. F. No.</i>	<i>Session Laws Chapter No.</i>	<i>Time and Date Approved 2007</i>	<i>Date Filed 2007</i>
1787		39	4:20 p.m. May 4	May 4
1735		40	4:21 p.m. May 4	May 4
1790		41	4:27 p.m. May 4	May 4
1266		42	4:50 p.m. May 4	May 4
321		43	4:44 p.m. May 4	May 4
1920		44	4:18 p.m. May 4	May 4

Sincerely,

MARK RITCHIE
Secretary of State

STATE OF MINNESOTA
OFFICE OF THE GOVERNOR
SAINT PAUL 55155

May 7, 2007

The Honorable Margaret Anderson Kelliher
Speaker of the House of Representatives
The State of Minnesota

Dear Speaker Kelliher:

Please be advised that I have received, approved, signed, and deposited in the Office of the Secretary of State the following House File:

H. F. No. 829, relating to public safety; appropriating money for the courts, public defenders, public safety, corrections, human rights, and other criminal justice and judiciary-related agencies; establishing, funding, modifying, and regulating public safety, criminal justice, judiciary, law enforcement, corrections, and crime victims services, policies, programs, duties, activities, or practices; requiring studies and reports; creating and modifying working groups, councils, and task forces; imposing criminal and civil penalties; setting or increasing fines or fees; regulating DWI and driving provisions; regulating scrap metal dealers; establishing ignition strength standards for cigarettes; providing conditional repeals of certain laws.

Sincerely,

TIM PAWLENTY
Governor

STATE OF MINNESOTA
OFFICE OF THE SECRETARY OF STATE
ST. PAUL 55155

The Honorable Margaret Anderson Kelliher
Speaker of the House of Representatives

The Honorable James P. Metzen
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 2007 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

<i>S. F. No.</i>	<i>H. F. No.</i>	<i>Session Laws Chapter No.</i>	<i>Time and Date Approved 2007</i>	<i>Date Filed 2007</i>
372		47	3:55 p.m. May 7	May 7
	829	54	4:10 p.m. May 7	May 7

Sincerely,

MARK RITCHIE
Secretary of State

REPORTS OF STANDING COMMITTEES AND DIVISIONS

Carlson from the Committee on Finance to which was referred:

H. F. No. 1940, A bill for an act relating to airports; creating an advisory task force to study airport funding issues and the state airports fund; requiring a report; appropriating money.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. **AIRPORT FUNDING ADVISORY TASK FORCE.**

Subdivision 1. **Task force established.** An advisory task force on airport funding issues is established to study and make recommendations regarding the best methods for funding airports in the state and the state airports fund. The task force shall study:

(1) the adequacy of current sources of revenue for the state airports fund and airports in the state;

(2) policy considerations regarding the use of the sales tax on aircraft as a potential source of revenue for airports;

(3) how other states fund airports;

(4) projected aviation needs of the future, including required investments in aviation infrastructure;

(5) aircraft registration taxes; and

(6) other issues relating to the funding of airports as determined by the task force.

Subd. 2. **Membership.** (a) The task force is comprised of the following members:

(1) three members of the senate, appointed by the Subcommittee on Committees of the Committee on Rules and Administration of the senate; and

(2) three members of the house of representatives, two appointed by the speaker of the house and one appointed by the minority leader.

The appointing authorities must select members based on knowledge and experience in aviation funding issues. All appointments required by this paragraph must be completed by September 1, 2007.

(b) The chair of the task force may appoint additional nonvoting members to the task force, including, but not limited to, representatives of the following organizations:

(1) a person appointed by the commissioner from the Department of Transportation Office of Aeronautics;

(2) the Aircraft Owners and Pilots Association;

(3) the Experimental Aircraft Association/ACAA;

(4) the Metropolitan Airports Commission;

(5) the Minnesota Aviation Trades Association;

(6) the Minnesota Business Aviation Association;

(7) the Minnesota Council of Airports;

(8) the Minnesota Seaplane Pilots Association; and

(9) the National Business Aviation Association.

(c) The director of the Office of Aeronautics in the Department of Transportation shall convene the first meeting of the task force. The members shall elect a chair from their membership at the first meeting.

Subd. 3. **Report.** By February 15, 2008, the task force shall report its recommendations to the chairs of the legislative committees with jurisdiction over airports and aviation issues and to the legislature as required by Minnesota Statutes, section 3.195.

Subd. 4. **Expenses.** Per diem and expenses for legislative members of the task force are as provided for under Minnesota Statutes, section 15.059. Other members of the task force may not receive per diem or expenses.

Subd. 5. **Expiration.** This section expires after the submission of the report as required under subdivision 3.

Sec. 2. **WILLMAR AIRPORT.**

(a) Notwithstanding any law, rule, or agreement to the contrary, the commissioner of transportation may enter into an agreement with the city of Willmar to allow funds granted by the state for land acquisition purposes at the city's former airport to instead be used by June 30, 2012, as the state's share of funds for eligible aeronautical purposes at the city's new airport.

(b) Funds not spent pursuant to paragraph (a) by June 30, 2012, must be paid to the commissioner of transportation and deposited in the state airports fund.

Sec. 3. **APPROPRIATION.**

\$200,000 is appropriated from the state airports fund in fiscal year 2008 to the Legislative Coordinating Commission for the administrative expenses of the task force created in section 1 and for other costs relating to the preparation of the report required under section 1, including the costs of hiring a consultant, if needed. Any remaining amount of this appropriation shall revert to the state airports fund.

Sec. 4. **EFFECTIVE DATE.**

Sections 1 and 3 are effective the day following final enactment."

Amend the title as follows:

Page 1, line 3, after the first semicolon, insert "authorizing agreement relating to Willmar airport;"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Taxes.

The report was adopted.

Carlson from the Committee on Finance to which was referred:

H. F. No. 1973, A bill for an act relating to local government; enabling the merger of the Minneapolis Public Library and the Hennepin County library system; authorizing the transfer of property, assets, and certain bond proceeds related to the Minneapolis Public Library to Hennepin County; authorizing the transfer of Minneapolis Public Library employees to Hennepin County; amending Minnesota Statutes 2006, sections 275.065, subdivision 3; 383B.237; 383B.239; 383B.245; 383B.247.

Reported the same back with the following amendments:

Page 2, line 7, delete "Public"

Page 3, line 31, delete "already issued that relate to" and insert "issued prior to the merger date by the city of Minneapolis the proceeds of which were applied to finance any portion of"

Page 3, line 33, after the first comma, insert "before or after the merger date,"

Page 4, line 3, delete "outstanding"

Page 4, line 4, delete "proceeds to be received from unissued bonds referenced in"

Page 5, line 4, delete "PUBLIC"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Taxes.

The report was adopted.

Lenczewski from the Committee on Taxes to which was referred:

H. F. No. 2268, A bill for an act relating to public finance; providing terms and conditions related to the issuance of obligations and the financing of public improvements and services; extending the time for certain publications of notices; amending Minnesota Statutes 2006, sections 118A.03, subdivision 3; 123B.61; 204B.46; 331A.05, subdivision 2; 365A.02; 365A.04; 365A.08; 365A.095; 373.01, subdivision 3; 375B.09; 383B.117, subdivision 2; 410.32; 412.301; 428A.02, subdivision 1; 453A.02, subdivision 3; 473.39, by adding a subdivision; 475.58, subdivision 3b; proposing coding for new law in Minnesota Statutes, chapter 475.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2006, section 118A.03, subdivision 3, is amended to read:

Subd. 3. **Amount.** The total amount of the collateral computed at its market value shall be at least ten percent more than the amount on deposit ~~plus accrued interest~~ at the close of the financial institution's banking day, except that where the collateral is irrevocable standby letters of credit issued by Federal Home Loan Banks, the amount of collateral shall be at least equal to the amount on deposit ~~plus accrued interest~~ at the close of the financial institution's banking day. The financial institution may furnish both a surety bond and collateral aggregating the required amount.

Sec. 2. Minnesota Statutes 2006, section 123B.61, is amended to read:

123B.61 PURCHASE OF CERTAIN EQUIPMENT.

The board of a district may issue general obligation certificates of indebtedness or capital notes subject to the district debt limits to: (a) purchase vehicles, computers, telephone systems, cable equipment, photocopy and office equipment, technological equipment for instruction, and other capital equipment having an expected useful life at least as long as the terms of the certificates or notes; (b) purchase computer hardware and software, without regard to its expected useful life, whether bundled with machinery or equipment or unbundled, together with application development services and training related to the use of the computer; and (c) prepay special assessments. The

certificates or notes must be payable in not more than ~~five~~ ten years and must be issued on the terms and in the manner determined by the board, except that certificates or notes issued to prepay special assessments must be payable in not more than 20 years. The certificates or notes may be issued by resolution and without the requirement for an election. The certificates or notes are general obligation bonds for purposes of section 126C.55. A tax levy must be made for the payment of the principal and interest on the certificates or notes, in accordance with section 475.61, as in the case of bonds. The sum of the tax levies under this section and section 123B.62 for each year must not exceed the lesser of the amount of the district's total operating capital revenue or the sum of the district's levy in the general and community service funds excluding the adjustments under this section for the year preceding the year the initial debt service levies are certified. The district's general fund levy for each year must be reduced by the sum of (1) the amount of the tax levies for debt service certified for each year for payment of the principal and interest on the certificates or notes issued under this section as required by section 475.61, (2) the amount of the tax levies for debt service certified for each year for payment of the principal and interest on bonds issued under section 123B.62, and (3) any excess amount in the debt redemption fund used to retire bonds, certificates, or notes issued under this section or section 123B.62 after April 1, 1997, other than amounts used to pay capitalized interest. If the district's general fund levy is less than the amount of the reduction, the balance shall be deducted first from the district's community service fund levy, and next from the district's general fund or community service fund levies for the following year. A district using an excess amount in the debt redemption fund to retire the certificates or notes shall report the amount used for this purpose to the commissioner by July 15 of the following fiscal year. A district having an outstanding capital loan under section 126C.69 or an outstanding debt service loan under section 126C.68 must not use an excess amount in the debt redemption fund to retire the certificates or notes.

Sec. 3. Minnesota Statutes 2006, section 204B.46, is amended to read:

204B.46 MAIL ELECTIONS; QUESTIONS.

A county, municipality, or school district submitting questions to the voters at a special election may apply to the county auditor for approval of an election by mail with no polling place other than the office of the auditor or clerk. ~~No more than two questions may be submitted at a mail election and no~~ offices may be voted on at a mail election. Notice of the election and the special mail procedure must be given at least six weeks prior to the election. No earlier than 20 or later than 14 days prior to the election, the auditor or clerk shall mail ballots by nonforwardable mail to all voters registered in the county, municipality, or school district. Eligible voters not registered at the time the ballots are mailed may apply for ballots pursuant to chapter 203B.

Sec. 4. Minnesota Statutes 2006, section 275.61, subdivision 1, is amended to read:

Subdivision 1. **Market value.** (a) For local governmental subdivisions other than school districts, any levy; ~~including the issuance of debt obligations payable in whole or in part from property taxes,~~ required to be approved and approved by the voters at a general or special election for taxes payable in 1993 and thereafter, shall be levied against the referendum market value of all taxable property within the governmental subdivision, as defined in section 126C.01, subdivision 3. Any levy amount subject to the requirements of this section shall be certified separately to the county auditor under section 275.07.

(b) The ballot shall state the maximum amount of the increased levy as a percentage of market value and the amount that will be raised by the new referendum tax rate in the first year it is to be levied.

(c) This subdivision does not apply to tax levies for the payment of debt obligations that are approved by the voters after June 30, 2007.

EFFECTIVE DATE. This section is effective the day following final enactment.

Sec. 5. Minnesota Statutes 2006, section 331A.05, subdivision 2, is amended to read:

Subd. 2. **Time of notice.** Unless otherwise specified by ~~a particular statute law~~, or by order of a court, publication of a public notice shall be as follows:

(a) the notice shall be published once;

(b) if the notice is intended to inform the public about a future event, the last publication shall occur not more than ~~14~~ 30 days and not less than seven days before the event;

(c) if the notice is intended to inform the public about a past action or event, the last publication shall occur not more than 45 days after occurrence of the action or event.

Sec. 6. Minnesota Statutes 2006, section 365A.02, is amended to read:

365A.02 DEFINITION DEFINITIONS.

Subdivision 1. Subordinate service district. "Subordinate service district" means a defined area within the town in which ~~one or more governmental services or additions to townwide special services are provided by the town specially for the area and financed from revenues from the area.~~ The boundaries of a single subordinate service district may not embrace an entire town.

Subd. 2. Special services. "Special services" means one or more governmental services or additions to townwide services provided by the town specially for the area and financed from revenues from the area.

Sec. 7. Minnesota Statutes 2006, section 365A.04, is amended to read:

365A.04 CREATION BY PETITION.

Subdivision 1. **Petition.** A petition signed by at least 50 percent of the property owners in the part of the town proposed for the subordinate service district may be submitted to the town board requesting the establishment of a subordinate service district to provide a service that the town is otherwise authorized by law to provide. The petition must include the territorial boundaries of the proposed district and specify the kinds of services to be provided within the district.

Subd. 1a. Creation by town. The town may establish a subordinate service district in a portion of the town by adoption of a resolution, subject to the requirements of subdivision 2.

Subd. 2. **Public hearing.** Upon receipt of the petition, and the verification of the signatures by the town clerk or prior to adoption of the resolution specified in subdivision 1a, the town board shall, within 30 days following verification or prior to adoption of the resolution specified in subdivision 1a, hold a public hearing on the question of whether or not the requested district shall be established. The notice of public hearing must specify the special services to be provided within the subordinate service district and must specify the territorial boundaries of the requested district. The notice of public hearing must be published once in a newspaper of general circulation in the town at least 14 days prior to the date of the public hearing.

Subd. 3. **Approval; disapproval.** Within 30 days after the public hearing, the town board by resolution shall approve or disapprove the establishment of the requested district. An approving resolution must specify the special services to be provided within the subordinate service district and must specify the territorial boundaries of the district. A resolution approving the establishment of the district may contain amendments or modifications of the district's boundaries or functions as set forth in the petition or the resolution specified in subdivision 1a.

Sec. 8. Minnesota Statutes 2006, section 365A.08, is amended to read:

365A.08 FINANCING.

Subdivision 1. Budget. (a) Upon adoption of the next annual budget following the creation of a subordinate service district the town board shall include in the budget appropriate provisions for the operation of the district including either a property tax levied only on property of the users of the service within the boundaries of the district or a levy of a service charge against the users of the service within the district, or a combination of a property tax and a service charge on the users of the service.

(b) A tax or service charge or a combination of them may be imposed to finance a function or service in the district that the town ordinarily provides throughout the town only to the extent that there is an increase in the level of the function or service provided in the service district over that provided throughout the town. In that case, in addition to the townwide tax levy, an amount necessary to pay for the increase in the level of the function or service may be imposed in the district.

Subd. 2. Bonds. At any time after the requirements of section 356A.06 have been met and the subordinate service district created, the town board may issue obligations in an amount it deems necessary to defray in whole or in part the expense incurred and estimated to be incurred in making capital improvements necessary to operate the subordinate service district and provide the special services in the district, including every item of cost from inception to completion and all fees and expenses incurred in connection with the capital improvements or the financing. The obligations are payable primarily out of the proceeds of the taxes and service charges imposed under subdivision 1, net revenues as described in section 444.075, and special assessments under chapter 429. The town board may by resolution pledge the full faith credit and taxing power of the town to ensure payment of the principal and interest on the obligations if the proceeds of the taxes and service charges are insufficient to pay the principal and interest. Obligations must be issued in accordance with chapter 475, except that the amount of the obligations is not included in determining the net indebtedness of the town under the provisions of any law limiting indebtedness.

Subd. 3. Covenants to secure obligations. In resolutions authorizing the issuance of general or special obligations and pledging taxes and service charges imposed under subdivision 1, net revenues, or special assessments to their payment, the town board may make covenants for the protection of holders of the obligations and taxpayers of the town as it deems necessary, including a covenant that the town will impose and collect charges of the nature authorized by this chapter at the time and in the amounts required to produce, together with any taxes or special assessments designated as a primary source of payment of the obligations, funds adequate to pay all principal and interest when due on the obligations, and to create and maintain reserves securing the payments as may be provided in the resolutions.

Sec. 9. Minnesota Statutes 2006, section 365A.095, is amended to read:

365A.095 PETITION FOR REMOVAL OF DISTRICT; PROCEDURE.

Subdivision 1. Petition. A petition signed by at least 75 percent of the property owners in the territory of the subordinate service district requesting the removal of the district may be presented to the town board. Within 30 days after the town board receives the petition, the town clerk shall determine the validity of the signatures on the petition. If the requisite number of signatures are certified as valid, the town board must hold a public hearing on the petitioned matter. Within 30 days after the end of the hearing, the town board must decide whether to discontinue the subordinate service district, continue as it is, or take some other action with respect to it.

Subd. 2. Bonds. If obligations have been issued for the benefit of the subordinate service district, the rates, charges, and tax levies, if any, continue until the obligations and any obligations issued to refund them have been paid in full.

Sec. 10. Minnesota Statutes 2006, section 373.01, subdivision 3, is amended to read:

Subd. 3. **Capital notes.** (a) A county board may, by resolution and without referendum, issue capital notes subject to the county debt limit to purchase capital equipment useful for county purposes that has an expected useful life at least equal to the term of the notes. The notes shall be payable in not more than ten years and shall be issued on terms and in a manner the board determines. A tax levy shall be made for payment of the principal and interest on the notes, in accordance with section 475.61, as in the case of bonds.

(b) For purposes of this subdivision, "capital equipment" means:

(1) public safety, ambulance, road construction or maintenance, and medical equipment; and

(2) computer hardware and software, whether bundled with machinery or equipment or unbundled. ~~The authority to issue capital notes for software expires on July 1, 2007.~~

Sec. 11. Minnesota Statutes 2006, section 373.40, subdivision 4, is amended to read:

Subd. 4. **Limitations on amount.** A county, ~~other than Ramsey,~~ may not issue bonds under this section if the maximum amount of principal and interest to become due in any year on all the outstanding bonds issued pursuant to this section (including the bonds to be issued) will equal or exceed ~~0.05367~~ 0.12 percent of taxable market value of property in the county. ~~Ramsey county may not issue bonds under this section if the maximum amount of principal and interest to become due in any year on all the outstanding bonds issued pursuant to this section (including the bonds to be issued) will equal or exceed 0.06455 percent of taxable market value of property in the county.~~ Calculation of the limit must be made using the taxable market value for the taxes payable year in which the obligations are issued and sold. This section does not limit the authority to issue bonds under any other special or general law.

EFFECTIVE DATE. This section is effective for bonds issued after June 30, 2007.

Sec. 12. Minnesota Statutes 2006, section 375B.09, is amended to read:

375B.09 FINANCING.

Subdivision 1. Budget. (a) Upon adoption of the next annual budget following the creation of a subordinate service district the county board shall include in the budget appropriate provisions for the operation of the district including, as appropriate, either a property tax levied only on property within the boundaries of the district or a levy of a service charge against the users of the service within the district, or any combination of a property tax and a service charge.

(b) A tax or service charge or a combination thereof shall not be imposed to finance a function or service in the subordinate service district which the county generally provides throughout the county unless an increase in the level of the service is to be supplied in the subordinate service district in which case, in addition to the countywide tax levy, only an amount necessary to pay for the increased level of service may be imposed.

Subd. 2. Bonds. At any time after the requirements of section 375B.07 have been met and the subordinate service district created, the county board may issue obligations in an amount it deems necessary to defray in whole or in part the expense incurred and estimated to be incurred in making capital improvements necessary to operate the subordinate service district and provide the special services in the district, including every item of cost from inception to completion and all fees and expenses incurred in connection with the capital improvements or the financing. The obligations shall be payable primarily out of the proceeds of the taxes and service charges imposed pursuant to subdivision 1, net revenues as described in section 444.075, and special assessments under chapter 429.

The county board may by resolution pledge the full faith credit and taxing power of the county to ensure payment of the principal and interest on the obligations if the proceeds of the taxes and service charges are insufficient to pay the principal and interest. Obligations must be issued in accordance with chapter 475, except that the amount of the obligations is not included in determining the net indebtedness of the county under the provisions of any law limiting indebtedness.

Subd. 3. **Covenants to secure obligations.** In resolutions authorizing the issuance of general or special obligations and pledging taxes and service charges imposed under subdivision 1, net revenues, or special assessments to their payment, the county board may make covenants for the protection of holders of the obligations and taxpayers of the county as it deems necessary, including a covenant that the county will impose and collect charges of the nature authorized by this chapter at the time and in the amounts required to produce, together with any taxes or special assessments designated as a primary source of payment of the obligations, funds adequate to pay all principal and interest when due on the obligations and to create and maintain reserves securing the payments as may be provided in the resolutions.

Subd. 4. **Continuance in the event of withdrawal.** If obligations have been issued for the benefit of the subordinate service district, and the district is withdrawn or removed pursuant to either section 375B.10 or 375B.11, the rates, charges, and tax levies, if any, in the withdrawn or removed district must continue until the obligations and any obligations issued to refund them have been paid in full.

Sec. 13. Minnesota Statutes 2006, section 383B.117, subdivision 2, is amended to read:

Subd. 2. **Equipment acquisition; capital notes.** The board may, by resolution and without public referendum, issue capital notes within existing debt limits for the purpose of purchasing ambulance and other medical equipment, road construction or maintenance equipment, public safety equipment and other capital equipment having an expected useful life at least equal to the term of the notes issued. The notes shall be payable in not more than ~~five~~ ten years and shall be issued on terms and in a manner as the board determines. The total principal amount of the notes issued for any fiscal year shall not exceed one percent of the total annual budget for that year and shall be issued solely for the purchases authorized in this subdivision. A tax levy shall be made for the payment of the principal and interest on such notes as in the case of bonds. For purposes of this subdivision, "equipment" includes computer hardware and software, whether bundled with machinery or equipment or unbundled. For purposes of this subdivision, the term "medical equipment" includes computer hardware and software and other intellectual property for use in medical diagnosis, medical procedures, research, record keeping, billing, and other hospital applications, together with application development services and training related to the use of the computer hardware and software and other intellectual property, all without regard to their useful life. For purposes of determining the amount of capital notes which the county may issue in any year, the budget of the county and Hennepin Healthcare System, Inc. shall be combined and the notes issuable under this subdivision shall be in addition to obligations issuable under section 373.01, subdivision 3.

Sec. 14. Minnesota Statutes 2006, section 383B.77, subdivision 1, is amended to read:

Subdivision 1. **Creation.** The Hennepin County Housing and Redevelopment Authority is created in the county of Hennepin. It shall have all of the powers and duties of a housing and redevelopment authority under sections 469.001 to 469.047. For the purposes of applying the municipal housing and redevelopment act to Hennepin County, the county has all of the powers and duties of a city, the county board has all the powers and duties of a governing body, the chair of the county board has all of the powers and duties of a mayor, and, notwithstanding section 469.008, the area of operation includes the area within the territorial boundaries of the county.

EFFECTIVE DATE. Because the population of Hennepin County is more than 1,000,000, under Minnesota Statutes, section 645.023, this section is effective without local approval.

Sec. 15. Minnesota Statutes 2006, section 383B.77, subdivision 2, is amended to read:

Subd. 2. **Limitation.** This section does not limit or restrict any existing housing and redevelopment authority or prevent a municipality from creating an authority. For purposes of this subdivision, "housing and redevelopment authority" includes any municipal department, agency, or authority of the city of Minneapolis which exercises the powers of a housing and redevelopment authority pursuant to section 469.003 or other law. The county authority shall notify a municipal authority by January 31 of each year as to the activities the county authority plans to participate in within the municipality. The municipal authority shall notify the county authority within 45 days of the date of the notice from the county authority, if the municipal authority does not consent to the activities of the county authority. ~~The county authority shall not exercise its powers in a municipality where a housing and redevelopment authority was created under Minnesota Statutes 1969, chapter 462, before June 8, 1971, except as provided in this subdivision.~~ If a city housing and redevelopment authority requests the county housing and redevelopment authority to exercise any power or perform any function of the municipal authority, the county authority may do so.

EFFECTIVE DATE. Because the population of Hennepin County is more than 1,000,000, under Minnesota Statutes, section 645.023, this section is effective without local approval.

Sec. 16. Minnesota Statutes 2006, section 410.32, is amended to read:

410.32 CITIES MAY ISSUE CAPITAL NOTES FOR CAPITAL EQUIPMENT.

(a) Notwithstanding any contrary provision of other law or charter, a home rule charter city may, by resolution and without public referendum, issue capital notes subject to the city debt limit to purchase capital equipment.

(b) For purposes of this section, "capital equipment" means:

(1) public safety equipment, ambulance and other medical equipment, road construction and maintenance equipment, and other capital equipment; and

(2) computer hardware and software, whether bundled with machinery or equipment or unbundled.

(c) The equipment or software must have an expected useful life at least as long as the term of the notes. ~~The authority to issue capital notes for software expires on July 1, 2007.~~

(d) The notes shall be payable in not more than ten years and be issued on terms and in the manner the city determines. The total principal amount of the capital notes issued in a fiscal year shall not exceed 0.03 percent of the market value of taxable property in the city for that year.

(e) A tax levy shall be made for the payment of the principal and interest on the notes, in accordance with section 475.61, as in the case of bonds.

(f) Notes issued under this section shall require an affirmative vote of two-thirds of the governing body of the city.

(g) Notwithstanding a contrary provision of other law or charter, a home rule charter city may also issue capital notes subject to its debt limit in the manner and subject to the limitations applicable to statutory cities pursuant to section 412.301.

Sec. 17. Minnesota Statutes 2006, section 412.301, is amended to read:

412.301 FINANCING PURCHASE OF CERTAIN EQUIPMENT.

(a) The council may issue certificates of indebtedness or capital notes subject to the city debt limits to purchase capital equipment.

(b) For purposes of this section, "capital equipment" means:

(1) public safety equipment, ambulance and other medical equipment, road construction and maintenance equipment, and other capital equipment; and

(2) computer hardware and software, whether bundled with machinery or equipment or unbundled.

(c) The equipment or software must have an expected useful life at least as long as the terms of the certificates or notes. ~~The authority to issue capital notes for software expires on July 1, 2007.~~

(d) Such certificates or notes shall be payable in not more than ten years and shall be issued on such terms and in such manner as the council may determine.

(e) If the amount of the certificates or notes to be issued to finance any such purchase exceeds 0.25 percent of the market value of taxable property in the city, they shall not be issued for at least ten days after publication in the official newspaper of a council resolution determining to issue them; and if before the end of that time, a petition asking for an election on the proposition signed by voters equal to ten percent of the number of voters at the last regular municipal election is filed with the clerk, such certificates or notes shall not be issued until the proposition of their issuance has been approved by a majority of the votes cast on the question at a regular or special election.

(f) A tax levy shall be made for the payment of the principal and interest on such certificates or notes, in accordance with section 475.61, as in the case of bonds.

Sec. 18. Minnesota Statutes 2006, section 428A.02, subdivision 1, is amended to read:

Subdivision 1. **Ordinance.** The governing body of a city may adopt an ordinance establishing a special service district. Only property that is classified under section 273.13 and used for residential, commercial, industrial, or public utility purposes, or is vacant land zoned or designated on a land use plan for commercial or industrial use and located in the special service district, may be subject to the charges imposed by the city on the special service district. Other types of property may be included within the boundaries of the special service district but are not subject to the levies or charges imposed by the city on the special service district. If 50 percent or more of the market value of a parcel of property is classified under section 273.13 as residential, commercial, industrial, or vacant land zoned or designated on a land use plan for commercial or industrial use, or public utility for the current assessment year, then the entire market value of the property is subject to a service charge based on net tax capacity for purposes of sections 428A.01 to 428A.10. The ordinance shall describe with particularity the area within the city to be included in the district and the special services to be furnished in the district. The ordinance may not be adopted until after a public hearing has been held on the question. Notice of the hearing shall include the time and place of hearing, a map showing the boundaries of the proposed district, and a statement that all persons owning property in the proposed district that would be subject to a service charge will be given opportunity to be heard at the hearing. Within 30 days after adoption of the ordinance under this subdivision, the governing body shall send a copy of the ordinance to the commissioner of revenue.

Sec. 19. Minnesota Statutes 2006, section 453A.02, subdivision 3, is amended to read:

Subd. 3. **City.** "City" means a city organized and existing under the laws of Minnesota or a city charter adopted pursuant thereto, and authorized by such laws or charter to engage in the local distribution and sale of gas, provided that any city so engaged on January 1, 1979 is authorized to continue such distribution and sale, and every city now or hereafter so authorized may exercise, either individually or as a member of a municipal gas agency, all of the powers granted in sections 453A.01 to 453A.12.

City also includes a city organized and existing under the laws of another state or a city charter adopted pursuant thereto which participates in a municipal gas agency with Minnesota cities.

Sec. 20. **[471.6175] TRUST FOR POSTEMPLOYMENT BENEFITS.**

Subdivision 1. **Authorization; establishment.** A political subdivision or other public entity that creates or has created an actuarial liability to pay postemployment benefits to employees or officers after their termination of service may establish a trust to pay those benefits. For purposes of this section, the term "postemployment benefits" means benefits giving rise to a liability under Statement No. 45 of the Governmental Accounting Standards Board and the term "trust" means a trust, a trust account, or a custodial account or contract authorized under section 401(f) of the Internal Revenue Code.

Subd. 2. **Purpose of trust.** The trust established under this section may only be used to pay postemployment benefits and may be either revocable or irrevocable.

Subd. 3. **Trust administrator.** The trust administrator of a trust established under this section shall be either:

(1) the Public Employees Retirement Association;

(2) a bank or banking association incorporated under the laws of the United States or of any state and authorized by the laws under which it is organized to exercise corporate trust powers; or

(3) an insurance company or agency qualified to do business in Minnesota which has at least five years' experience in investment products and services for group retirement benefits and which has a specialized department dedicated to services for retirement investment products.

A political subdivision or public entity may, in its discretion and in compliance with any applicable trust document, change trust administrators and transfer trust assets accordingly.

Subd. 4. **Account maintenance.** (a) A political subdivision or other public entity may establish a trust account to be held under the supervision of the trust administrator for the purposes of this section. A trust administrator shall establish a separate account for each participating political subdivision or public entity. The trust administrator may charge participating political subdivisions and public entities fees for reasonable administrative costs. The amount of any fees charged by the Public Employees Retirement Association is appropriated to the association from the account. A trust administrator may establish other reasonable terms and conditions for creation and maintenance of these accounts.

(b) The trust administrator must report to the political subdivision or other public entity on the investment returns of invested trust assets and on all investment fees or costs incurred by the trust. The annual rates of return, along with investment and administrative fees and costs for the trust, must be disclosed in the political subdivision's or public entity's annual financial audit in a manner prescribed by the state auditor.

(c) Effective for fiscal years beginning after December 31, 2010, the trust administrator must report electronically to the state auditor the portfolio and performance information specified in section 356.219, subdivision 3, in the manner prescribed by the state auditor.

Subd. 5. **Investment.** (a) The assets of a trust or trust account shall be invested and held as stipulated in paragraphs (b) to (e).

(b) The Public Employees Retirement Association must certify all money in the trust accounts for which it is trust administrator to the State Board of Investment for investment under section 11A.14, subject to the policies and procedures established by the State Board of Investment. Investment earnings must be credited to the trust account of the individual political subdivision or public entity.

(c) A trust administrator, other than the Public Employees Retirement Association, must ensure that all money in the trust accounts for which it is trust administrator is invested by a registered investment adviser, a bank investment trust department, or an insurance company or agency retirement investment department. Investment earnings must be credited to the trust account of the individual political subdivision or public entity.

(d) For trust assets invested by the State Board of Investment, the investment restrictions shall be the same as those generally applicable to the State Board of Investment. For trust assets invested by a trust administrator other than the Public Employees Retirement Association, the assets may only be invested in investments authorized under chapter 118A or section 356A.06, subdivision 7, in the manner specified in the applicable trust document.

(e) A political subdivision or public entity may provide investment direction to a trust administrator in compliance with any applicable trust document.

Subd. 6. **Limit on deposit.** A political subdivision or public entity may not deposit money in a trust or trust account created pursuant to this section if the total amount invested by that political subdivision or public entity would exceed the political subdivision's or public entity's actuarially determined liabilities for postemployment benefits due to officers and employees, as determined under the applicable standards of the Governmental Accounting Standards Board.

Subd. 7. **Withdrawal of funds and termination of account.** (a) For a revocable account, a political subdivision or public entity may withdraw some or all of its money or terminate the trust account. Money and accrued investment earnings withdrawn from a revocable account must be deposited in a fund separate and distinct from any other funds of the political subdivision or public entity. This money, with accrued investment earnings, must be used to pay legally enforceable postemployment benefits to former officers and employees, unless (i) there has been a change in state or federal law affecting that political subdivision's or public entity's liabilities for postemployment benefits, or (ii) there has been a change in the demographic composition of that political subdivision's or public entity's employees eligible for postemployment benefits, or (iii) there has been a change in the provisions or terms of the postemployment benefits in that political subdivision or public entity including, but not limited to, the portion of the costs eligible employees must pay to receive the benefits, or (iv) other factors exist that have a material effect on that political subdivision's or public entity's actuarially determined liabilities for postemployment benefits, in which event any amount in excess of 100 percent of that political subdivision's or public entity's actuarially determined liabilities for postemployment benefits, as determined under standards of the Government Accounting Standards Board, may be withdrawn and used for any purpose.

(b) For an irrevocable account, a political subdivision or public entity may withdraw money only:

(1) as needed to pay postemployment benefits owed to former officers and employees of the political subdivision or public entity; or

(2) when all postemployment benefit liability owed to former officers or employees of the political subdivision or public entity has been satisfied or otherwise defeased.

(c) A political subdivision or public entity requesting withdrawal of money from an account created under this section must do so at a time and in the manner required by the executive director of the Public Employees Retirement Association or specified in an applicable trust document. The political subdivision or public entity that created the trust must ensure that withdrawals comply with the requirements of this section.

(d) The legislature may not divert funds in these trusts or trust accounts for use for another purpose.

Subd. 8. Status of irrevocable trust. (a) All money in an irrevocable trust or trust account created in this section is held in trust for the exclusive benefit of former officers and employees of the participating political subdivision or public entity, and is not subject to claims by creditors of the state, the participating political subdivision or public entity, the current or former officers and employees of the political subdivision or public entity, or the trust administrator.

(b) An irrevocable trust fund or trust account created in this section shall be deemed an arrangement equivalent to a trust for all legal purposes.

EFFECTIVE DATE. This section is effective the day following final enactment, and is applicable immediately to all political subdivisions or public entities subject to Statement No. 45 of the Governmental Accounting Standards Board in 2007, to those political subdivisions or public entities whose trusts or trust accounts are validated by section 28, and to those political subdivisions or public entities that have begun consideration of measures to implement Statement No. 45 in 2007. This section is applicable on July 1, 2008, for all other political subdivisions or public entities.

Sec. 21. Minnesota Statutes 2006, section 473.39, is amended by adding a subdivision to read:

Subd. 1m. Obligations. After July 1, 2007, in addition to other authority in this section, the council may issue certificates of indebtedness, bonds, or other obligations under this section in an amount not exceeding \$33,600,000 for capital expenditures as prescribed in the council's regional transit master plan and transit capital improvement program and for related costs, including the costs of issuance and sale of the obligations.

APPLICATION AND EFFECTIVE DATE. This section applies in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington, and is effective the day following final enactment.

Sec. 22. Minnesota Statutes 2006, section 473.39, is amended by adding a subdivision to read:

Subd. 5. Anticipation of grants. In addition to other authority granted in this section, the council may exercise the authority granted to an issuing political subdivision by section 475.522.

Sec. 23. Minnesota Statutes 2006, section 475.52, subdivision 6, is amended to read:

Subd. 6. Certain purposes. Any municipality may issue bonds for paying judgments against it; for refunding outstanding bonds; for funding floating indebtedness; for funding actuarial liabilities to pay postemployment benefits to employees or officers after their termination of service; or for funding all or part of the municipality's current and future unfunded liability for a pension or retirement fund or plan referred to in section 356.20, subdivision 2, as those liabilities are most recently computed pursuant to sections 356.215 and 356.216. The board of trustees or directors of a pension fund or relief association referred to in section 69.77 or chapter 422A must consent and must be a party to any contract made under this section with respect to the fund held by it for the benefit of and in trust for its members. For purposes of this section, the term "postemployment benefits" means benefits giving rise to a liability under Statement No. 45 of the Governmental Accounting Standards Board.

Sec. 24. **[475.522] GRANT ANTICIPATION FINANCING OF TRANSPORTATION OR TRANSIT PROJECTS.**

Subdivision 1. **Definitions.** For purposes of this section, the term "political subdivision" means a county or a statutory or home rule charter city, and the term "issuing political subdivision" means a political subdivision that issues obligations under subdivision 2.

Subd. 2. **Authorization.** An issuing political subdivision may enter into agreements with any other political subdivision of the state, within or without its jurisdiction, and any state agency, with respect to federal grants for transportation or transit projects to be received directly or indirectly by or on behalf of the political subdivision or agency, under an executed grant agreement with the relevant federal agency. The agreements may provide that the political subdivision or agency will pledge to the issuing political subdivision all or a specified portion of the federal grants received by or on behalf of the political subdivision or agency for a specified period of years, or until all obligations issued by the issuing political subdivision under subdivision 3 with respect to those federal grants have been paid or legally defeased. If the issuing political subdivision issues obligations under subdivision 3, the agreements must provide the method by which the proceeds of the obligations will be used to pay or reimburse the costs of the transportation or transit projects relating to the federal grants described in the executed federal grant agreement.

Subd. 3. **Issuance of obligations.** In anticipation of any federal grants for transportation or transit projects to be received directly or indirectly by any political subdivision or agency as specified in subdivision 1, or by an issuing political subdivision with respect to any transportation or transit projects within its jurisdiction, an issuing political subdivision may issue its obligations payable from the collections of those federal grants. The obligations may be issued in the principal amount the issuing political subdivision determines provided that the estimated collections of the federal grants under the relevant executed federal grant agreement in each year in which the obligations will be outstanding must be at least equal to:

(1) if the obligations are to be issued as revenue obligations, 150 percent of the maximum annual debt service on the obligations; or

(2) if the obligations are to be issued as general obligations, 110 percent of the maximum annual debt service on the obligations.

Except as otherwise provided in this section, the issuing political subdivision shall provide for the issuance, sale, and security of the obligations as provided in chapter 475, and has the same powers and duties as a municipality issuing bonds under that law, except that no election is required and the net debt limitations in chapter 475 do not apply to the obligations. The issuing political subdivision may determine to issue the obligations as revenue obligations, payable solely from the collections of the federal grants anticipated, or may pledge its full faith and credit to the payment of the obligations.

Subd. 4. **Use of proceeds.** The proceeds of the obligations must be used:

(1) to pay or reimburse the costs of the transportation or transit projects relating to the federal grants being anticipated;

(2) to pay the costs of issuance of the obligations, including credit enhancement;

(3) to pay interest on the obligations for a period not exceeding three years from their date of issue; and

(4) if the full faith and credit of the issuing political subdivision is not pledged to the payment of the obligations, to fund a debt service reserve fund for the obligations.

Sec. 25. Minnesota Statutes 2006, section 475.53, subdivision 1, is amended to read:

Subdivision 1. **Generally.** Except as otherwise provided in sections 475.51 to 475.74, no municipality, except a school district or a city of the first class, shall incur or be subject to a net debt in excess of ~~two~~ three percent of the market value of taxable property in the municipality.

EFFECTIVE DATE. This section is effective for obligations issued after June 30, 2007.

Sec. 26. Minnesota Statutes 2006, section 475.58, subdivision 1, is amended to read:

Subdivision 1. **Approval by electors; exceptions.** Obligations authorized by law or charter may be issued by any municipality upon obtaining the approval of a majority of the electors voting on the question of issuing the obligations, but an election shall not be required to authorize obligations issued:

- (1) to pay any unpaid judgment against the municipality;
- (2) for refunding obligations;
- (3) for an improvement or improvement program, which obligation is payable wholly or partly from the proceeds of special assessments levied upon property specially benefited by the improvement or by an improvement within the improvement program, or from tax increments, as defined in section 469.174, subdivision 25, including obligations which are the general obligations of the municipality, if the municipality is entitled to reimbursement in whole or in part from the proceeds of such special assessments or tax increments and not less than 20 percent of the cost of the improvement or the improvement program is to be assessed against benefited property or is to be paid from the proceeds of federal grant funds or a combination thereof, or is estimated to be received from tax increments;
- (4) payable wholly from the income of revenue producing conveniences;
- (5) under the provisions of a home rule charter which permits the issuance of obligations of the municipality without election;
- (6) under the provisions of a law which permits the issuance of obligations of a municipality without an election;
- (7) to fund pension or retirement fund or postemployment benefit liabilities pursuant to section 475.52, subdivision 6;
- (8) under a capital improvement plan under section 373.40; and
- (9) under sections 469.1813 to 469.1815 (property tax abatement authority bonds), if the proceeds of the bonds are not used for a purpose prohibited under section 469.176, subdivision 4g, paragraph (b).

Sec. 27. Minnesota Statutes 2006, section 475.58, subdivision 3b, is amended to read:

Subd. 3b. **Street reconstruction.** (a) A municipality may, without regard to the election requirement under subdivision 1, issue and sell obligations for street reconstruction, if the following conditions are met:

- (1) the streets are reconstructed under a street reconstruction plan that describes the ~~streets to be reconstructed~~ street reconstruction to be financed, the estimated costs, and any planned reconstruction of other streets in the municipality over the next five years, and the plan and issuance of the obligations has been approved by a vote of all of the members of the governing body present at the meeting following a public hearing for which notice has been published in the official newspaper at least ten days but not more than 28 days prior to the hearing; and

(2) if a petition requesting a vote on the issuance is signed by voters equal to five percent of the votes cast in the last municipal general election and is filed with the municipal clerk within 30 days of the public hearing, the municipality may issue the bonds only after obtaining the approval of a majority of the voters voting on the question of the issuance of the obligations.

(b) Obligations issued under this subdivision are subject to the debt limit of the municipality and are not excluded from net debt under section 475.51, subdivision 4.

(c) For purposes of this subdivision, street reconstruction includes utility replacement and relocation and other activities incidental to the street reconstruction, turn lanes and other improvements having a substantial public safety function, realignments, other modifications to intersect with state and county roads, and the local share of state and county road projects.

(d) Except in the case of turn lanes, safety improvements, realignments, intersection modifications, and the local share of state and county road projects, street reconstruction does not include the portion of project cost allocable to widening a street or adding curbs and gutters where none previously existed.

Sec. 28. **VALIDATION.**

Any trust or trust account or other custodial account or contract authorized under section 401(f) of the Internal Revenue Code, created prior to June 6, 2006, to pay postemployment benefits to employees or officers after termination of service, is hereby validated, may continue in full force and effect, and shall have continuing authority to accept new funds; however, this section does not validate or correct defects in any previously created trust document. Any funds held by a validated trust or account under this section may be invested as provided in section 20, subdivision 5. A validated trust or account shall have until January 1, 2008, to bring its trust documents and procedures into compliance with section 20.

EFFECTIVE DATE. This section is effective the day following final enactment.

Sec. 29. **TOWN OF CRANE LAKE, CERTIFICATES OF INDEBTEDNESS.**

Notwithstanding Minnesota Statutes, section 366.095, or any other law to the contrary, the town board of the town of Crane Lake in St. Louis County may issue one or more certificates of indebtedness in a total amount not to exceed \$225,000, which are not subject to the debt limits of the town. The proceeds of the certificates must be used to acquire property and pay other costs related to a land exchange with the United States Forest Service. The certificates shall be payable in not more than 30 years and be issued on the terms and in the manner as the board may determine. Minnesota Statutes, sections 475.54, subdivision 1, and 475.56, paragraph (c), do not apply to the certificates issued under this section. A tax levy shall be made to pay the principal and interest on the certificates as in the case of bonds.

EFFECTIVE DATE. This section is effective the day after the governing body of the town of Crane Lake and its chief clerical officer timely complete their compliance with Minnesota Statutes, section 645.021, subdivisions 2 and 3.

Sec. 30. **CITY OF WINSTED; BONDING AUTHORITY.**

(a) The city of Winsted may issue general obligation bonds under Minnesota Statutes, chapter 475, to finance the acquisition and betterment of a facility consisting of a city hall, community center, and police station; park improvements, including trails and an amphitheater; related public improvements; and substantial landscaping for the improvements.

(b) The bonds may be issued as general obligations of the city without an election to approve the bonds under Minnesota Statutes, section 475.58.

(c) The bonds are not included in computing any debt limitation applicable to the city, including, but not limited to, the net debt limits under Minnesota Statutes, section 475.53, and the levy of taxes under Minnesota Statutes, section 475.61, to pay principal of and interest on the bonds is not subject to any levy limitation.

(d) The aggregate principal amount of bonds used to pay costs of the acquisition and betterment of the facility consisting of a city hall, community center, and police station; park improvements, including trails and an amphitheater; related public improvements; and substantial landscaping for the improvements may not exceed \$4,900,000, plus an amount equal to the costs related to issuance of the bonds and capitalized interest.

EFFECTIVE DATE. This section is effective upon compliance by the governing body of the city of Winsted with Minnesota Statutes, section 645.021, subdivision 3."

Amend the title as follows:

Page 1, line 4, after the first semicolon, insert "authorizing and validating trusts to pay public postemployment benefits;"

Correct the title numbers accordingly

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Ways and Means.

The report was adopted.

Sertich from the Committee on Rules and Legislative Administration to which was referred:

H. F. No. 2285, A bill for an act relating to constitutional amendments; proposing an amendment to the Minnesota Constitution, article XI; increasing the sales tax rate by three-eighths of one percent and dedicating the receipts for natural resource and cultural heritage purposes; creating a natural heritage fund; creating a parks and trails fund; creating a clean water fund; creating a sustainable drinking water fund; creating an arts and cultural heritage fund; establishing the Natural Heritage Enhancement Council; providing for appointments; amending Minnesota Statutes 2006, sections 114D.20, subdivision 6; 114D.30, subdivision 6; 114D.45; 297A.62, subdivision 1; 297A.94; 297B.02, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 85; 97A; 103H; 129D.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Finance.

Joint Rule 2.03 has been waived for any subsequent committee action on this bill.

The report was adopted.

Carlson from the Committee on Finance to which was referred:

S. F. No. 1186, A bill for an act relating to public facilities; modifying provisions of the Minnesota Public Facilities Authority Act; making technical and housekeeping changes; modifying Pollution Control Agency project priority rule; amending Minnesota Statutes 2006, sections 116.182, subdivision 5; 446A.02; 446A.03; 446A.04; 446A.051; 446A.07; 446A.072; 446A.073; 446A.074; 446A.075; 446A.081; 446A.085; 446A.09; 446A.11, subdivision 13; 446A.17, subdivision 1; repealing Minnesota Statutes 2006, sections 446A.05; 446A.06; 446A.15, subdivision 6.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

SECOND READING OF SENATE BILLS

S. F. No. 1186 was read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Hornstein; Erhardt; Clark; Murphy, M.; Paymar; Greiling and Smith introduced:

H. F. No. 2469, A bill for an act relating to animals; providing standards of care for dog and cat breeders; authorizing rulemaking; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 347.

The bill was read for the first time and referred to the Committee on Public Safety and Civil Justice.

Kahn, Paymar, Holberg, Lesch and Mullery introduced:

H. F. No. 2470, A bill for an act relating to public safety; authorizing criminal complaints for felonies to proceed against unnamed defendants when DNA evidence exists; amending Minnesota Statutes 2006, section 628.26.

The bill was read for the first time and referred to the Committee on Public Safety and Civil Justice.

McFarlane introduced:

H. F. No. 2471, A bill for an act relating to charitable organizations; modifying financial statement requirements for certain charitable organizations; amending Minnesota Statutes 2006, section 309.53, subdivision 3.

The bill was read for the first time and referred to the Committee on Commerce and Labor.

Loeffler, Kelliher, Tingelstad and Murphy, E., introduced:

H. F. No. 2472, A bill for an act relating to capital improvements; authorizing the issuance of state bonds; appropriating money to design renovation of buildings in the Capitol complex.

The bill was read for the first time and referred to the Committee on Finance.

Kahn introduced:

H. F. No. 2473, A bill for an act relating to retirement; statewide and major local retirement plans; updating and clarifying omitted salary deduction provisions; amending Minnesota Statutes 2006, sections 352.04, subdivision 8; 352B.02, by adding a subdivision; 353.27, subdivisions 12, 12a, 12b; 353E.01, subdivision 4; 354.51, subdivision 5; 354A.12, subdivision 1a; 422A.10, by adding a subdivision; 490.123, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Governmental Operations, Reform, Technology and Elections.

Jaros, Huntley and Murphy, M., introduced:

H. F. No. 2474, A bill for an act relating to capital investment; appropriating money for improvements to Lake Superior Mississippi Railroad scenic railway.

The bill was read for the first time and referred to the Committee on Finance.

Greiling and Heidgerken introduced:

H. F. No. 2475, A bill for an act relating to education; extending time for capital facilities bond repayment; amending Minnesota Statutes 2006, section 123B.62.

The bill was read for the first time and referred to the Committee on Finance.

REPORT FROM THE COMMITTEE ON RULES AND LEGISLATIVE ADMINISTRATION

Sertich from the Committee on Rules and Legislative Administration, pursuant to rule 1.21, designated the following bills to be placed on the Calendar for the Day for Wednesday, May 9, 2007:

S. F. Nos. 322, 1302, 608, 1464 and 744; H. F. No. 1781; S. F. Nos. 1542, 2161, 145, 538, 585, 1755, 988, 596, 1557, 1724, 1165 and 100; and H. F. No. 1306.

CALENDAR FOR THE DAY

S. F. No. 1705, A bill for an act relating to insurance; requiring coverage for colorectal screening tests; amending Minnesota Statutes 2006, section 62A.30, subdivision 2.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 103 yeas and 26 nays as follows:

Those who voted in the affirmative were:

Abeler	Eken	Huntley	Mahoney	Peterson, A.	Thao
Anzelc	Erhardt	Jaros	Mariani	Peterson, N.	Thissen
Atkins	Faust	Johnson	Marquart	Peterson, S.	Tillberry
Beard	Finstad	Juhnke	Masin	Poppe	Tingelstad
Benson	Fritz	Kalin	McFarlane	Rukavina	Tschumper
Bigham	Gardner	Knuth	McNamara	Ruth	Wagenius
Bly	Gottwalt	Koenen	Moe	Ruud	Walker
Brod	Greiling	Kranz	Morgan	Sailer	Ward
Brown	Gunther	Laine	Morrow	Scalze	Wardlow
Brynaert	Hamilton	Lanning	Mullery	Sertich	Welti
Bunn	Hansen	Lenczewski	Murphy, E.	Severson	Winkler
Carlson	Hausman	Lesch	Nelson	Shimanski	Wollschlager
Clark	Haws	Liebling	Norton	Simon	Spk. Kelliher
Cornish	Hilty	Lieder	Olin	Slawik	
Davnie	Hornstein	Lillie	Otremba	Slocum	
Dill	Hortman	Loeffler	Ozment	Smith	
Dominguez	Hosch	Madore	Paulsen	Solberg	
Doty	Howes	Magnus	Pelowski	Swails	

Those who voted in the negative were:

Anderson, B.	Demmer	Erickson	Hoppe	Seifert	Zellers
Anderson, S.	Dettmer	Garofalo	Kohls	Simpson	
Berns	Dittrich	Hackbarth	Nornes	Sviggum	
Buesgens	Eastlund	Heidgerken	Olson	Urdahl	
DeLaForest	Emmer	Holberg	Peppin	Westrom	

The bill was passed and its title agreed to.

S. F. No. 2030, A bill for an act relating to state government; providing rulemaking authority for surplus property; amending Minnesota Statutes 2006, section 16C.03, subdivision 2.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 126 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeler	Bigham	Clark	Dominguez	Finstad	Hamilton
Anderson, B.	Bly	Cornish	Doty	Fritz	Hansen
Anderson, S.	Brod	Davnie	Eastlund	Gardner	Hausman
Anzelc	Brown	DeLaForest	Eken	Garofalo	Haws
Atkins	Brynaert	Demmer	Emmer	Gottwalt	Heidgerken
Beard	Buesgens	Dettmer	Erhardt	Greiling	Hilty
Benson	Bunn	Dill	Erickson	Gunther	Holberg
Berns	Carlson	Dittrich	Faust	Hackbarth	Hoppe

Hornstein	Lenczewski	McNamara	Paulsen	Sertich	Tingelstad
Hortman	Lesch	Moe	Paymar	Severson	Tschumper
Howes	Liebling	Morgan	Pelowski	Shimanski	Urdahl
Huntley	Lieder	Morrow	Peppin	Simon	Wagenius
Jaros	Lillie	Mullery	Peterson, A.	Simpson	Walker
Juhnke	Loeffler	Murphy, E.	Peterson, N.	Slawik	Ward
Kalin	Madore	Nelson	Peterson, S.	Slocum	Wardlow
Knuth	Magnus	Nornes	Poppe	Smith	Welti
Koenen	Mahoney	Norton	Rukavina	Sviggum	Westrom
Kohls	Mariani	Olin	Ruth	Swails	Winkler
Kranz	Marquart	Olson	Ruud	Thao	Wollschlager
Laine	Masin	Otremba	Sailer	Thissen	Zellers
Lanning	McFarlane	Ozment	Seifert	Tillberry	Spk. Kelliher

The bill was passed and its title agreed to.

S. F. No. 1902, A bill for an act relating to state government; including definition terms for energy forward pricing mechanisms; amending Minnesota Statutes 2006, section 16C.143, subdivision 1.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 122 yeas and 9 nays as follows:

Those who voted in the affirmative were:

Abeler	Dittrich	Hoppe	Lillie	Ozment	Solberg
Anderson, B.	Dominguez	Hornstein	Loeffler	Paulsen	Sviggum
Anderson, S.	Doty	Hortman	Madore	Paymar	Swails
Atkins	Eastlund	Hosch	Magnus	Pelowski	Thao
Beard	Eken	Howes	Mahoney	Peppin	Thissen
Benson	Emmer	Huntley	Mariani	Peterson, A.	Tillberry
Berns	Erhardt	Jaros	Marquart	Peterson, N.	Tingelstad
Bigham	Erickson	Johnson	Masin	Peterson, S.	Tschumper
Bly	Finstad	Juhnke	McFarlane	Poppe	Urdahl
Brod	Fritz	Kahn	McNamara	Ruth	Wagenius
Brown	Gardner	Kalin	Moe	Ruud	Walker
Brynaert	Garofalo	Knuth	Morgan	Sailer	Ward
Buesgens	Greiling	Koenen	Morrow	Scalze	Wardlow
Carlson	Gunther	Kohls	Mullery	Seifert	Welti
Clark	Hackbarth	Kranz	Murphy, E.	Sertich	Winkler
Cornish	Hamilton	Laine	Nelson	Shimanski	Zellers
Davnie	Hansen	Lanning	Nornes	Simon	Spk. Kelliher
DeLaForest	Hausman	Lenczewski	Norton	Simpson	
Demmer	Haws	Lesch	Olin	Slawik	
Dettmer	Hilty	Liebling	Olson	Slocum	
Dill	Holberg	Lieder	Otremba	Smith	

Those who voted in the negative were:

Anzelc	Faust	Heidgerken	Severson	Wollschlager
Bunn	Gottwalt	Rukavina	Westrom	

The bill was passed and its title agreed to.

S. F. No. 322, A bill for an act relating to civil commitment; expanding early intervention services; expanding the definition of chemically dependent person; amending Minnesota Statutes 2006, sections 253B.02, subdivision 2; 253B.065, subdivision 5; 626.5561, subdivisions 1, 2; repealing Minnesota Statutes 2006, section 626.5563.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 128 yeas and 4 nays as follows:

Those who voted in the affirmative were:

Abeler	Dill	Heidgerken	Lieder	Paulsen	Sviggum
Anderson, B.	Dittrich	Hilty	Lillie	Paymar	Swails
Anderson, S.	Dominguez	Holberg	Madore	Pelowski	Thao
Anzelc	Doty	Hoppe	Magnus	Peppin	Thissen
Atkins	Eastlund	Hornstein	Mahoney	Peterson, A.	Tillberry
Beard	Eken	Hortman	Mariani	Peterson, N.	Tingelstad
Benson	Emmer	Hosch	Marquart	Peterson, S.	Tschumper
Berns	Erhardt	Howes	Masin	Poppe	Urdahl
Bigham	Erickson	Huntley	McFarlane	Ruth	Wagenius
Bly	Faust	Jaros	McNamara	Ruud	Walker
Brod	Finstad	Johnson	Moe	Sailer	Ward
Brown	Fritz	Juhnke	Morgan	Scalze	Wardlow
Brynaert	Gardner	Kalin	Morrow	Seifert	Welti
Buesgens	Garofalo	Knuth	Mullery	Sertich	Westrom
Bunn	Gottwalt	Koenen	Murphy, M.	Severson	Winkler
Carlson	Greiling	Kohls	Nelson	Shimanski	Wollschlager
Clark	Gunther	Kranz	Nornes	Simon	Zellers
Cornish	Hackbarth	Laine	Norton	Simpson	Spk. Kelliher
Davnie	Hamilton	Lanning	Olin	Slawik	
DeLaForest	Hansen	Lenczewski	Olson	Slocum	
Demmer	Hausman	Lesch	Otremba	Smith	
Dettmer	Haws	Liebling	Ozment	Solberg	

Those who voted in the negative were:

Kahn	Loeffler	Murphy, E.	Rukavina
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The bill was passed and its title agreed to.

S. F. No. 1464, A bill for an act relating to motor vehicles; requiring motor vehicle collision repair to include air bag repair or replacement; providing criminal penalties; proposing coding for new law in Minnesota Statutes, chapter 325E.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 97 yeas and 36 nays as follows:

Those who voted in the affirmative were:

Anderson, S.	Beard	Bly	Bunn	Cornish	Dittrich
Anzelc	Benson	Brown	Carlson	Davnie	Dominguez
Atkins	Bigham	Brynaert	Clark	Dill	Doty

Eken	Hilty	Lenczewski	Mullery	Poppe	Tillberry
Erhardt	Hornstein	Lesch	Murphy, E.	Rukavina	Tschumper
Faust	Hortman	Liebling	Murphy, M.	Ruud	Wagenius
Finstad	Hosch	Lieder	Nelson	Sailer	Walker
Fritz	Howes	Lillie	Norton	Scalze	Ward
Gardner	Huntley	Loeffler	Olin	Sertich	Welti
Greiling	Jaros	Madore	Otremba	Simon	Winkler
Gunther	Johnson	Magnus	Ozment	Slawik	Wollschlager
Hackbarth	Juhnke	Mahoney	Paulsen	Slocum	Spk. Kelliher
Hamilton	Kahn	Mariani	Paymar	Smith	
Hansen	Kalin	Marquart	Pelowski	Solberg	
Hausman	Knuth	Masin	Peterson, A.	Swails	
Haws	Koenen	Moe	Peterson, N.	Thao	
Hilstrom	Laine	Morgan	Peterson, S.	Thissen	

Those who voted in the negative were:

Abeler	Demmer	Gottwalt	Lanning	Peppin	Svigum
Anderson, B.	Dettmer	Heidgerken	McFarlane	Ruth	Tingelstad
Berns	Eastlund	Holberg	McNamara	Seifert	Urdahl
Brod	Emmer	Hoppe	Morrow	Severson	Wardlow
Buesgens	Erickson	Kohls	Nornes	Shimanski	Westrom
DeLaForest	Garofalo	Kranz	Olson	Simpson	Zellers

The bill was passed and its title agreed to.

S. F. No. 744, A bill for an act relating to insurance; regulating certain rental vehicle coverage; amending Minnesota Statutes 2006, section 65B.49, subdivision 5a.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 132 yeas and 1 nay as follows:

Those who voted in the affirmative were:

Abeler	Cornish	Gardner	Hosch	Lillie	Nornes
Anderson, B.	Davnie	Garofalo	Howes	Loeffler	Norton
Anderson, S.	DeLaForest	Gottwalt	Huntley	Madore	Olin
Anzalc	Demmer	Greiling	Jaros	Magnus	Olson
Atkins	Dettmer	Gunther	Johnson	Mahoney	Otremba
Beard	Dill	Hackbarth	Juhnke	Mariani	Ozment
Benson	Dittrich	Hamilton	Kahn	Marquart	Paulsen
Berns	Dominguez	Hansen	Kalin	Masin	Paymar
Bigham	Doty	Hausman	Knuth	McFarlane	Pelowski
Bly	Eastlund	Haws	Koenen	McNamara	Peppin
Brod	Eken	Heidgerken	Kranz	Moe	Peterson, A.
Brown	Emmer	Hilstrom	Laine	Morgan	Peterson, N.
Brynaert	Erhardt	Hilty	Lanning	Morrow	Peterson, S.
Buesgens	Erickson	Holberg	Lenczewski	Mullery	Poppe
Bunn	Faust	Hoppe	Lesch	Murphy, E.	Rukavina
Carlson	Finstad	Hornstein	Liebling	Murphy, M.	Ruth
Clark	Fritz	Hortman	Lieder	Nelson	Ruud

Sailer	Shimanski	Smith	Thissen	Wagenius	Westrom
Scalze	Simon	Solberg	Tillberry	Walker	Winkler
Seifert	Simpson	Sviggum	Tingelstad	Ward	Wollschlager
Sertich	Slawik	Swails	Tschumper	Wardlow	Zellers
Severson	Slocum	Thao	Urdahl	Welti	Spk. Kelliher

Those who voted in the negative were:

Kohls

The bill was passed and its title agreed to.

H. F. No. 1781, A bill for an act relating to motor carriers; regulating insurance requirements for certain carriers; amending Minnesota Statutes 2006, section 221.141, subdivision 1e.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 133 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeler	Dittrich	Hilty	Lillie	Paulsen	Sviggum
Anderson, B.	Dominguez	Holberg	Loeffler	Paymar	Swails
Anderson, S.	Doty	Hoppe	Madore	Pelowski	Thao
Anzelc	Eastlund	Hornstein	Magnus	Peppin	Thissen
Atkins	Eken	Hortman	Mahoney	Peterson, A.	Tillberry
Beard	Emmer	Hosch	Mariani	Peterson, N.	Tingelstad
Benson	Erhardt	Howes	Marquart	Peterson, S.	Tschumper
Berns	Erickson	Huntley	Masin	Poppe	Urdahl
Bigham	Faust	Jaros	McFarlane	Rukavina	Wagenius
Bly	Finstad	Johnson	McNamara	Ruth	Walker
Brod	Fritz	Juhnke	Moe	Ruud	Ward
Brown	Gardner	Kahn	Morgan	Sailer	Wardlow
Brynaert	Garofalo	Kalin	Morrow	Scalze	Welti
Buesgens	Gottwalt	Knuth	Mullery	Seifert	Westrom
Bunn	Greiling	Koenen	Murphy, E.	Sertich	Winkler
Carlson	Gunther	Kohls	Murphy, M.	Severson	Wollschlager
Clark	Hackbarth	Kranz	Nelson	Shimanski	Zellers
Cornish	Hamilton	Laine	Nornes	Simon	Spk. Kelliher
Davnie	Hansen	Lanning	Norton	Simpson	
DeLaForest	Hausman	Lenczewski	Olin	Slawik	
Demmer	Haws	Lesch	Olson	Slocum	
Dettmer	Heidgerken	Liebling	Otremba	Smith	
Dill	Hilstrom	Lieder	Ozment	Solberg	

The bill was passed and its title agreed to.

S. F. No. 2161, A bill for an act relating to real property; providing for plats of land; amending Minnesota Statutes 2006, sections 505.01; 505.03, subdivision 1; 505.04; 505.08, subdivision 2; 505.1792, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 505; repealing Minnesota Statutes 2006, sections 505.02; 505.08, subdivisions 1, 2a, 3.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 132 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeler	Dill	Heidgerken	Liebling	Olson	Slawik
Anderson, B.	Dittrich	Hilstrom	Lieder	Otremba	Slocum
Anderson, S.	Dominguez	Hilty	Lillie	Ozment	Smith
Anzelc	Doty	Holberg	Loeffler	Paulsen	Solberg
Atkins	Eastlund	Hoppe	Madore	Paymar	Sviggum
Beard	Eken	Hornstein	Magnus	Pelowski	Swails
Benson	Emmer	Hortman	Mahoney	Peppin	Thao
Berns	Erhardt	Howes	Mariani	Peterson, A.	Thissen
Bigham	Erickson	Huntley	Marquart	Peterson, N.	Tillberry
Bly	Faust	Jaros	Masin	Peterson, S.	Tingelstad
Brod	Finstad	Johnson	McFarlane	Poppe	Tschumper
Brown	Fritz	Juhnke	McNamara	Rukavina	Urdahl
Brynaert	Gardner	Kahn	Moe	Ruth	Wagenius
Buesgens	Garofalo	Kalin	Morgan	Ruud	Walker
Bunn	Gottwalt	Knuth	Morrow	Sailer	Ward
Carlson	Greiling	Koenen	Mullery	Scalze	Wardlow
Clark	Gunther	Kohls	Murphy, E.	Seifert	Welti
Cornish	Hackbarth	Kranz	Murphy, M.	Sertich	Westrom
Davnie	Hamilton	Laine	Nelson	Severson	Winkler
DeLaForest	Hansen	Lanning	Nornes	Shimanski	Wollschlager
Demmer	Hausman	Lenczewski	Norton	Simon	Zellers
Dettmer	Haws	Lesch	Olin	Simpson	Spk. Kelliher

The bill was passed and its title agreed to.

S. F. No. 538, A bill for an act relating to state government; establishing a heating and cooling policy for building projects funded with state appropriations; proposing coding for new law in Minnesota Statutes, chapter 16B.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 104 yeas and 29 nays as follows:

Those who voted in the affirmative were:

Abeler	Benson	Brown	Clark	Dittrich	Erhardt
Anderson, S.	Berns	Brynaert	Cornish	Dominguez	Faust
Anzelc	Bigham	Bunn	Davnie	Doty	Fritz
Atkins	Bly	Carlson	Dill	Eken	Gardner

Greiling	Jaros	Madore	Nelson	Sailer	Tschumper
Hackbarth	Johnson	Magnus	Norton	Scalze	Urdahl
Hamilton	Juhnke	Mahoney	Olin	Seifert	Wagenius
Hansen	Kahn	Mariani	Otremba	Sertich	Walker
Hausman	Kalin	Marquart	Ozment	Simon	Ward
Haws	Knuth	Masin	Paulsen	Slawik	Welti
Heidgerken	Koenen	McFarlane	Paymar	Slocum	Westrom
Hilstrom	Laine	McNamara	Pelowski	Smith	Winkler
Hilty	Lenczewski	Moe	Peterson, A.	Solberg	Wollschlager
Hornstein	Lesch	Morgan	Peterson, N.	Swails	Spk. Kelliher
Hortman	Liebling	Morrow	Peterson, S.	Thao	
Hosch	Lieder	Mullery	Poppe	Thissen	
Howes	Lillie	Murphy, E.	Rukavina	Tillberry	
Huntley	Loeffler	Murphy, M.	Ruud	Tingelstad	

Those who voted in the negative were:

Anderson, B.	Demmer	Finstad	Hoppe	Olson	Simpson
Beard	Dettmer	Garofalo	Kohls	Peppin	Sviggum
Brod	Eastlund	Gottwalt	Kranz	Ruth	Wardlow
Buesgens	Emmer	Gunther	Lanning	Severson	Zellers
DeLaForest	Erickson	Holberg	Nornes	Shimanski	

The bill was passed and its title agreed to.

Sertich moved that the House recess subject to the call of the Chair. The motion prevailed.

RECESS

RECONVENED

The House reconvened and was called to order by the Speaker.

Dean and Eken were excused for the remainder of today's session.

CALENDAR FOR THE DAY, Continued

S. F. No. 988, A bill for an act relating to mortgages; prohibiting certain predatory lending practices; prescribing criminal penalties; providing remedies; amending Minnesota Statutes 2006, sections 58.02, by adding subdivisions; 58.13, subdivision 1; 58.137, subdivision 2; proposing coding for new law in Minnesota Statutes, chapters 58; 82B; 609.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 129 yeas and 3 nays as follows:

Those who voted in the affirmative were:

Abeler	Dominguez	Holberg	Lillie	Paulsen	Solberg
Anderson, S.	Doty	Hoppe	Loeffler	Paymar	Svigum
Anzelc	Eastlund	Hornstein	Madore	Pelowski	Swails
Atkins	Emmer	Hortman	Magnus	Peppin	Thao
Beard	Erhardt	Hosch	Mahoney	Peterson, A.	Thissen
Benson	Erickson	Howes	Mariani	Peterson, N.	Tillberry
Berns	Faust	Huntley	Marquart	Peterson, S.	Tingelstad
Bigham	Finstad	Jaros	Masin	Poppe	Tschumper
Bly	Fritz	Johnson	McFarlane	Rukavina	Urdahl
Brod	Gardner	Juhnke	McNamara	Ruth	Wagenius
Brown	Garofalo	Kahn	Moe	Ruud	Walker
Brynaert	Gottwalt	Kalin	Morgan	Sailer	Ward
Bunn	Greiling	Knuth	Morrow	Scalze	Wardlow
Carlson	Gunther	Koenen	Mullery	Seifert	Welti
Clark	Hackbarth	Kohls	Murphy, E.	Sertich	Westrom
Cornish	Hamilton	Kranz	Murphy, M.	Severson	Winkler
Davnie	Hansen	Laine	Nelson	Shimanski	Wollschlager
DeLaForest	Hausman	Lanning	Nornes	Simon	Zellers
Demmer	Haws	Lenczewski	Norton	Simpson	Spk. Kelliher
Dettmer	Heidgerken	Lesch	Olin	Slawik	
Dill	Hilstrom	Liebling	Otremba	Slocum	
Dittrich	Hilty	Lieder	Ozment	Smith	

Those who voted in the negative were:

Anderson, B. Buesgens Olson

The bill was passed and its title agreed to.

S. F. No. 585, A bill for an act relating to local government; removing restrictions on the sale or lease of certain property listed on the National Register of Historic Places; repealing Minnesota Statutes 2006, section 15.995.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 130 yeas and 2 nays as follows:

Those who voted in the affirmative were:

Abeler	Bly	Cornish	Doty	Gardner	Hausman
Anderson, B.	Brod	Davnie	Eastlund	Garofalo	Haws
Anzelc	Brown	DeLaForest	Emmer	Gottwalt	Heidgerken
Atkins	Brynaert	Demmer	Erhardt	Greiling	Hilstrom
Beard	Buesgens	Dettmer	Erickson	Gunther	Hilty
Benson	Bunn	Dill	Faust	Hackbarth	Holberg
Berns	Carlson	Dittrich	Finstad	Hamilton	Hoppe
Bigham	Clark	Dominguez	Fritz	Hansen	Hornstein

Hortman	Lanning	McNamara	Paulsen	Severson	Tschumper
Hosch	Lenczewski	Moe	Paymar	Shimanski	Urdahl
Howes	Lesch	Morgan	Pelowski	Simon	Wagenius
Huntley	Liebling	Morrow	Peterson, A.	Simpson	Walker
Jaros	Lieder	Mullery	Peterson, N.	Slawik	Ward
Johnson	Lillie	Murphy, E.	Peterson, S.	Slocum	Wardlow
Juhnke	Loeffler	Murphy, M.	Poppe	Smith	Welti
Kahn	Madore	Nelson	Rukavina	Solberg	Westrom
Kalin	Magnus	Nornes	Ruth	Sviggum	Winkler
Knuth	Mahoney	Norton	Ruud	Swails	Wollschlager
Koenen	Mariani	Olin	Sailer	Thao	Zellers
Kohls	Marquart	Olson	Scalze	Thissen	Spk. Kelliher
Kranz	Masin	Otremba	Seifert	Tillberry	
Laine	McFarlane	Ozment	Sertich	Tingelstad	

Those who voted in the negative were:

Anderson, S. Peppin

The bill was passed and its title agreed to.

S. F. No. 1557, A bill for an act relating to state government; deleting a record retention provision; amending Minnesota Statutes 2006, section 15.17, subdivision 1; repealing Minnesota Statutes 2006, section 138.17, subdivisions 9, 10.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 132 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeler	Dill	Hilstrom	Liebling	Olson	Slawik
Anderson, B.	Dittrich	Hilty	Lieder	Otremba	Slocum
Anderson, S.	Dominguez	Holberg	Lillie	Ozment	Smith
Anzenc	Doty	Hoppe	Loeffler	Paulsen	Solberg
Atkins	Eastlund	Hornstein	Madore	Paymar	Sviggum
Beard	Emmer	Hortman	Magnus	Pelowski	Swails
Benson	Erhardt	Hosch	Mahoney	Peppin	Thao
Berns	Erickson	Howes	Mariani	Peterson, A.	Thissen
Bigham	Faust	Huntley	Marquart	Peterson, N.	Tillberry
Bly	Finstad	Jaros	Masin	Peterson, S.	Tingelstad
Brod	Fritz	Johnson	McFarlane	Poppe	Tschumper
Brown	Gardner	Juhnke	McNamara	Rukavina	Urdahl
Brynaert	Garofalo	Kahn	Moe	Ruth	Wagenius
Buesgens	Gottwalt	Kalin	Morgan	Ruud	Walker
Bunn	Greiling	Knuth	Morrow	Sailer	Ward
Carlson	Gunther	Koenen	Mullery	Scalze	Wardlow
Clark	Hackbarth	Kohls	Murphy, E.	Seifert	Welti
Cornish	Hamilton	Kranz	Murphy, M.	Sertich	Westrom
Davnie	Hansen	Laine	Nelson	Severson	Winkler
DeLaForest	Hausman	Lanning	Nornes	Shimanski	Wollschlager
Demmer	Haws	Lenczewski	Norton	Simon	Zellers
Dettmer	Heidgerken	Lesch	Olin	Simpson	Spk. Kelliher

The bill was passed and its title agreed to.

S. F. No. 1165 was reported to the House.

Welti moved to amend S. F. No. 1165, the first engrossment, as follows:

Page 2, line 29, after "(4)" insert "an individual's"

The motion prevailed and the amendment was adopted.

Welti moved to amend S. F. No. 1165, the first engrossment, as amended, as follows:

Page 1, line 24, delete "heath" and insert "health"

The motion prevailed and the amendment was adopted.

S. F. No. 1165, A bill for an act relating to the open meeting law; authorizing meetings by telephone or other electronic means under certain conditions; amending Minnesota Statutes 2006, section 13D.05, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 13D.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 130 yeas and 2 nays as follows:

Those who voted in the affirmative were:

Abeler	Dominguez	Holberg	Lillie	Ozment	Smith
Anderson, B.	Doty	Hoppe	Loeffler	Paulsen	Solberg
Anderson, S.	Eastlund	Hornstein	Madore	Paymar	Sviggum
Anzelc	Emmer	Hortman	Magnus	Pelowski	Swails
Atkins	Erhardt	Hosch	Mahoney	Peppin	Thao
Beard	Erickson	Howes	Mariani	Peterson, A.	Thissen
Benson	Faust	Huntley	Marquart	Peterson, N.	Tillberry
Berns	Finstad	Jaros	Masin	Peterson, S.	Tingelstad
Bigham	Fritz	Johnson	McFarlane	Poppe	Tschumper
Bly	Gardner	Juhnke	McNamara	Rukavina	Urdahl
Brod	Garofalo	Kahn	Moe	Ruth	Wagenius
Brown	Gottwalt	Kalin	Morgan	Ruud	Walker
Brynaert	Greiling	Knuth	Morrow	Sailer	Ward
Buesgens	Gunther	Koenen	Mullery	Scalze	Wardlow
Bunn	Hackbarth	Kohls	Murphy, E.	Seifert	Welti
Carlson	Hamilton	Kranz	Murphy, M.	Sertich	Westrom
Clark	Hansen	Laine	Nelson	Severson	Winkler
Cornish	Hausman	Lanning	Nornes	Shimanski	Wollschlager
Davnie	Haws	Lenczewski	Norton	Simon	Zellers
Demmer	Heidgerken	Lesch	Olin	Simpson	Spk. Kelliher
Dill	Hilstrom	Liebling	Olson	Slawik	
Dittrich	Hilty	Lieder	Otremba	Slocum	

Those who voted in the negative were:

DeLaForest Dettmer

The bill was passed, as amended, and its title agreed to.

Sertich moved that the remaining bills on the Calendar for the Day be continued. The motion prevailed.

There being no objection, the order of business reverted to Messages from the Senate.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Madam Speaker:

I hereby announce the following change in the membership of the Conference Committee on H. F. No. 532:

The name of Koering has been stricken and the name of Betzold has been added; and the name of Kubly has been stricken and the name of Neuville has been added.

PATRICK E. FLAHAVEN, Secretary of the Senate

Madam Speaker:

I hereby announce that the Senate refuses to concur in the House amendments to the following Senate File:

S. F. No. 26, A bill for an act relating to health occupations; extending the expiration dates for the Board of Medical Practices' advisory councils; amending Minnesota Statutes 2006, sections 147A.27, subdivision 2; 147B.05, subdivision 2; 147C.35, subdivision 2; 147D.25, subdivision 2; 214.32, subdivision 1.

The Senate respectfully requests that a Conference Committee be appointed thereon. The Senate has appointed as such committee:

Senators Marty, Erickson Ropes and Fischbach.

Said Senate File is herewith transmitted to the House with the request that the House appoint a like committee.

PATRICK E. FLAHAVEN, Secretary of the Senate

Thao moved that the House accede to the request of the Senate and that the Speaker appoint a Conference Committee of 3 members of the House to meet with a like committee appointed by the Senate on the disagreeing votes of the two houses on S. F. No. 26. The motion prevailed.

Madam Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 1312, 1346, 961, 1753, 303, 1449 and 1215.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 1312, A bill for an act relating to environment and natural resources policy; creating a state recreation area advisory council; providing certain environmental and travel programs; modifying water supply plan requirements; modifying state park permit provisions; requiring and authorizing the initiation of rulemaking for aquatic plant management permits and shoreland standards; modifying restrictions related to off-highway vehicle use; providing for state forest traditional areas; restricting the licensing of certain public water for minnows; modifying the definition of a game bird; designating a state wildlife management area; modifying provisions for taking animals causing damage; changing the license year for fishing, fish house, and dark house licenses; modifying certain wild animal possession and taking restrictions; providing for an apprentice hunter validation; exempting persons with military training from the range and shooting exercise portion of the required course for a firearm safety certificate; removing ban on smokeless gunpowder in muzzleloaders; providing for the minimum draw weight for bows used to take big game; allowing remote-controlled animal noise callers to take unprotected wild animals; authorizing the commissioner of natural resources to issue special permits for taking bear for certain purposes; modifying certain angling seasons; modifying Lake Superior commercial fishing provisions; providing criminal and civil penalties; providing for a walk-in public access plan for certain outdoor recreation; modifying land owners' bill of rights; requiring approved firewood on land administered by the commissioner of natural resources; modifying recordation requirements for mineral interests; increasing payments in lieu of taxes for certain lands; adding to and deleting from state parks, state trails, and state recreation areas; authorizing public and private sales and conveyances of certain state lands; authorizing a 20-year lease of certain tax-forfeited land; exempting certain exchanged land from the tax-forfeited land assurance fee; providing for temporary suspension of apportionment of certain net proceeds in Lake County; modifying agency service requirements; modifying provisions for wetland conservation; requiring rulemaking; restricting outdoor light pollution; modifying exemptions to noise standards; restricting the use of phosphorus in household dishwasher detergent; modifying licensing requirements for design, installation, maintenance, inspection, or operation of individual sewage treatment systems; extending the prohibition on new open air swine basins; prohibiting the sale of certain mercury-containing products; modifying restrictions on the sale, use, and disposal of certain mercury-containing products; requiring certain consumer information; modifying lamp recycling facility operation requirements; delaying phosphorus reduction requirements on wastewater treatment facilities; requiring reports; providing for community forest management; providing for control of forest and shade tree pests; modifying requirements for ditch buffers; requiring annual drainage authority reports; modifying drainage repair and inspection requirements; appropriating money; amending Minnesota Statutes 2006, sections 15.99, subdivision 3; 17.4984, subdivision 1; 18G.03, by adding a subdivision; 18G.11; 84.0272, subdivision 3; 84.0274, subdivision 5; 84.777; 84.9256, subdivision 2, by adding a subdivision; 84.9257; 84.926, by adding a subdivision; 84.928, subdivision 1; 84D.14; 85.013, by adding a subdivision; 85.015, subdivision 22; 85.053, subdivisions 2, 8; 85.054, by adding a subdivision; 88.01, by adding a subdivision; 88.79, subdivisions 1, 2; 88.82; 89.001, subdivision 8, by adding subdivisions; 89.01, subdivisions 1, 2, 4; 89.51, subdivisions 1, 6, 9; 89.52; 89.53; 89.54; 89.55; 89.56, subdivisions 1, 3; 89.57; 89.58; 89.59; 89.60; 89.61; 93.55, subdivision 1; 97A.015, subdivision 24, by adding a subdivision; 97A.133, by adding a subdivision; 97A.205; 97A.401, subdivision 5; 97A.405, subdivisions 2, 4; 97A.411, subdivision 1; 97A.421, by adding a subdivision; 97A.451, subdivision 3; 97A.475, subdivision 2; 97A.505, subdivision 4; 97A.511; 97B.015, by adding a subdivision; 97B.020; 97B.035, by adding a subdivision; 97B.075; 97B.085, subdivision 3; 97B.301, subdivision 7; 97B.311; 97B.405; 97B.928, subdivision 1; 97C.325; 97C.355, subdivision 8; 97C.395, subdivision 1; 97C.835,

subdivisions 1, 3, 8; 103E.021, subdivisions 1, 2, 3, by adding a subdivision; 103E.315, subdivision 8; 103E.321, subdivision 1; 103E.701, by adding a subdivision; 103E.705, subdivisions 1, 2, 3; 103E.728, subdivision 2; 103F.205, subdivision 1; 103G.222, subdivision 3; 103G.2241, subdivisions 3, 4, 6, 11; 103G.2242, subdivisions 2, 2a, 9, 12, 15; 103G.2243, subdivision 2; 103G.291, subdivision 3; 103G.311, subdivision 2; 115.072; 115.56, subdivision 2; 115A.932, subdivision 1; 115B.17, subdivision 15; 116.07, subdivision 2a; 116.0714; 116.23; 116.92, subdivisions 3, 7a, by adding subdivisions; 116.93, subdivision 2; 169A.35, subdivision 1; 219.99; 473.1565, subdivision 1; 473.859, subdivision 3; Laws 2003, chapter 128, article 1, section 167, subdivision 1, as amended; Laws 2006, chapter 236, article 1, section 21; Laws 2006, chapter 251, section 16; proposing coding for new law in Minnesota Statutes, chapters 16B; 84; 85; 89; 97B; 97C; 103E; 103F; 116; 121A; proposing coding for new law as Minnesota Statutes, chapter 114E; repealing Minnesota Statutes 2006, sections 18G.16; 84.928, subdivision 8; 85.012, subdivision 24b; 89.51, subdivision 8; 97A.475, subdivision 38; 97C.365; 103G.2241, subdivision 8; Laws 2006, chapter 236, article 1, section 2.

The bill was read for the first time.

Eken moved that S. F. No. 1312 and H. F. No. 1418, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1346, A bill for an act relating to the Office of the Secretary of State; regulating registrations, filings, and dissolutions of certain entities; regulating foreign limited partnership name changes; regulating notaries public; amending Minnesota Statutes 2006, sections 308A.995, subdivisions 1, 4; 308B.121, subdivisions 1, 4; 308B.215, subdivision 2; 317A.823, subdivision 1; 321.0210; 323A.1003; 336.9-516; 358.41; 358.42; 358.50; 359.085, subdivisions 2, 3; proposing coding for new law in Minnesota Statutes, chapters 308B; 321; repealing Minnesota Statutes 2006, sections 69.051, subdivision 1c; 359.085, subdivision 8.

The bill was read for the first time and referred to the Committee on Finance.

S. F. No. 961, A bill for an act relating to natural resources; providing for regulation of shoreland resorts; amending Minnesota Statutes 2006, section 103F.205, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 103F.

The bill was read for the first time.

Moe moved that S. F. No. 961 and H. F. No. 849, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1753, A bill for an act relating to airports; creating an advisory task force to study airport funding issues and the state airports fund; requiring a report; appropriating money.

The bill was read for the first time and referred to the Committee on Taxes.

S. F. No. 303, A bill for an act relating to local government; extending the municipal boundary adjustment advisory task force; amending Laws 2006, chapter 270, article 2, section 1.

The bill was read for the first time.

Olson moved that S. F. No. 303 and H. F. No. 267, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1449, A bill for an act relating to public safety; modifying requirements for 911 emergency communication fees; amending Minnesota Statutes 2006, section 403.11, by adding subdivisions.

The bill was read for the first time and referred to the Committee on Public Safety and Civil Justice.

S. F. No. 1215, A bill for an act relating to health; making technical changes; eliminating radioactive material license renewal fee; establishing fees for ionizing radiation-producing equipment; modifying requirements for operating x-ray equipment; extending the expiration date for a task force; amending Minnesota Statutes 2006, sections 144.1205, subdivision 1; 144.121, subdivisions 1a, 5; 145.881, subdivision 1; repealing Minnesota Statutes 2006, section 144.121, subdivisions 1c, 4.

The bill was read for the first time.

Norton moved that S. F. No. 1215 and H. F. No. 1582, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to a Conference Committee on S. F. No. 26:

Thao; Murphy, E., and Abeler.

MOTIONS AND RESOLUTIONS

Thao moved that the name of Tillberry be added as an author on H. F. No. 57. The motion prevailed.

DeLaForest moved that the name of Brod be added as an author on H. F. No. 174. The motion prevailed.

Welti moved that the name of Heidgerken be added as an author on H. F. No. 406. The motion prevailed.

Davnie moved that the name of Walker be added as an author on H. F. No. 1758. The motion prevailed.

Jaros; Peterson, N.; Urdahl; Bly and Sailer introduced:

House Resolution No. 6, A House resolution commending Native Americans on their contributions to Minnesota and American life and heritage.

The resolution was referred to the Committee on Finance.

Jaros; Peterson, N.; Walker; Bly and Johnson introduced:

House Resolution No. 7, A House resolution commending African Americans on their contributions to Minnesota and American life.

The resolution was referred to the Committee on Finance.

Loeffler, Erickson, Solberg, Lanning and Tingelstad introduced:

House Resolution No. 8, A House resolution recognizing the 149th anniversary of Minnesota's becoming a state.

The Resolution was referred to the Committee on Rules and Legislative Administration.

ADJOURNMENT

Sertich moved that when the House adjourns today it adjourn until 10:00 a.m., Thursday, May 10, 2007. The motion prevailed.

Sertich moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 10:00 a.m., Thursday, May 10, 2007.

ALBIN A. MATHIOWETZ, Chief Clerk, House of Representatives

